

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JOHN M. CONSTANTINI,	:	Civil Action No. 05-680 (GMS)
on his own behalf and as administrator of	:	
the estate of CHERYL A. CONSTANTINI,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
OPTIMUM CHOICE, INC.	:	
	:	
Defendant.	:	

STATEMENT PURSUANT TO D. DEL. LR 81.2

Pursuant to D. Del. LR 81.2, defendant Optimum Choice, Inc. states there are no pending matters which require judicial action. Counsel for the defendant has conferred with Counsel for the plaintiff who agrees with this statement.

Respectfully Submitted,

/s/ Maryanne Donaghy Esq.
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Attorney for Defendant,
Optimum Choice, Inc.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Statement Pursuant to D. Del. LR 81.2 was electronically filed with the United States District Court for the District of Delaware via the Court's Electronic Case Filing (ECF) system and that this document is available thereon for viewing and downloading. I also hereby certify that by filing the aforementioned document electronically, it was served electronically upon all counsel of record this 11th day of October 2005.

/s/ Maryanne Donaghy, Esq
Maryanne Donaghy

